RESOLUTION 27-12
A RESOLUTION APPROVING THE APPLICATION FOR A
EDWARD BYRNE MEMORIAL JUSTICE
ASSISTANCE GRANTS AND CORRESPONDING
INTERLOCAL AGREEMENT

WHEREAS, The City and the Sheriff County desire to apply for a BJA FY 12 Byrne Memorial Justice Assistance Grant which is a grant to fund Muncie Police Officers and Delaware County Sheriff's Officers for certain overtime activities and,

WHEREAS, in or to more adequately and efficiently protect the health, safety, welfare and property of the citizens of the City of Muncie and Delaware County and fund additional overtime activities, it is has been determined that a Grant of funds would be beneficial and,

WHEREAS, the granting authority has advised that the Application for the Grant, attached hereto as exhibit A, must be approved by the City Council,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA as follows:

1. The City of Muncie, by its Common Council hereby approves the BJA FY 12 Byrne Memorial Justice Assistance Grant Application, and corresponding Interlocal Agreement, Exhibit A hereto.

2. This Resolution shall be in effect from and after its passage by the Common Council, signature of the mayor or override of any veto.


Yeas Nays Abstained Absent
Doug Marshall ______ ______ ______ ______
Mark Conatser ______ ______ ______ ______
## APPLICATION FOR FEDERAL ASSISTANCE

### 1. TYPE OF SUBMISSION
- Application Non-Construction

### 2. DATE SUBMITTED
- Applicant Identifier

### 3. DATE RECEIVED BY STATE
- State Application Identifier

### 4. DATE RECEIVED BY FEDERAL AGENCY
- Federal Identifier

## 5. APPLICANT INFORMATION

<table>
<thead>
<tr>
<th>Field</th>
<th>Information</th>
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</thead>
<tbody>
<tr>
<td>Legal Name</td>
<td>City of Muncie</td>
</tr>
<tr>
<td>Organizational Unit</td>
<td>Muncie Police Department</td>
</tr>
<tr>
<td>Address</td>
<td>300 N High Street, Muncie, Indiana 47305-1639</td>
</tr>
<tr>
<td>Name and telephone number</td>
<td>Name and telephone number of the person to be contacted on matters involving this application</td>
</tr>
<tr>
<td>City of Muncie</td>
<td>Stewart, Steve (765) 747-4822</td>
</tr>
<tr>
<td>County</td>
<td>Delaware County</td>
</tr>
<tr>
<td>Total County Population</td>
<td>18,769</td>
</tr>
<tr>
<td>City Population</td>
<td>67,430</td>
</tr>
<tr>
<td>Ball State University</td>
<td>Enrollment of 20,243 students in 2010.</td>
</tr>
</tbody>
</table>

## 6. EMPLOYER IDENTIFICATION NUMBER (EIN)
- 35-6001131

## 7. TYPE OF APPLICANT
- Municipal

## 8. TYPE OF APPLICATION
- New

## 9. NAME OF FEDERAL AGENCY
- Bureau of Justice Assistance

## 10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE
- CFDA: 16.738
- EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM

## 11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT
- 2012 Enhanced Patrols Program

## 12. AREAS AFFECTED BY PROJECT

Areas affected by this project include the City of Muncie and all of Delaware County. Muncie is the county-seat of Delaware County with an estimated city population of 67,430 and a total county population of 18,769. It is the home of Ball State University with an enrollment of 20,243 students in 2010. The Muncie Police Department and the Delaware County Sheriff's Office are committed to coordinate our efforts to provide the best service and protection to our community.

## 13. PROPOSED PROJECT

<table>
<thead>
<tr>
<th>Field</th>
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<tbody>
<tr>
<td>Start Date</td>
<td>June 01, 2012</td>
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<tr>
<td>End Date</td>
<td>May 31, 2014</td>
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## 14. CONGRESSIONAL DISTRICTS OF
- a. Applicant
- b. Project

## 15. ESTIMATED FUNDING
- Federal: $35,471

## 16. IS APPLICATION SUBMITTED SUBJECT TO REVIEW BY
- IN06
<table>
<thead>
<tr>
<th>Applicant</th>
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<th>STATE EXECUTIVE ORDER 12372 PROCESS?</th>
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<tr>
<td>State</td>
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<td>Program is not covered by E.O. 12372</td>
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<tr>
<td>Local</td>
<td>$0</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>$0</td>
<td></td>
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<tr>
<td>Program Income</td>
<td>$0</td>
<td>17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$35,471</td>
<td>N</td>
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</table>

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS REQUIRED.
ABSTRACT

The 2012 Enhanced Patrols Program for the Muncie Police Department and the Delaware County Sheriff’s Office goals are to: compensate officers for overtime hours, heighten community policing, secure community events, and strive to make our community a safe place to live and work.

Strategies planned in this program are as follows. Funding would be expended for overtime hours worked over the four year grant period. These expenditures would include: court appearances, arrest overtime, investigative overtime, trainings, holiday patrols, mandatory meetings, supervising overtime, shift extensions, briefings, backfilling, callbacks, and other unpredictable occurrences such as natural disasters or sensational crimes which would require an extraordinary outlay of effort. In addition, securing the numerous yearly special events is crucial when the influx of visitors often set record breaking attendance numbers. Just as important, we would continue to make community policing a high priority county-wide.

As it becomes increasingly difficult to fund all agency expenses due to city budget cuts, we have created the 2012 Enhance Patrols Program to balance the high costs of overtime expenses. The Muncie Police Department and the Delaware County Sheriff’s Office are committed to coordinate our efforts to provide the best service and protection to our community and visitors.

Project Identifiers: Overtime, Policing, and Community Policing,
PROGRAM NARRATIVE

The 2012 Enhanced Patrols Program was designed to provide funding to compensate our officers for overtime efforts. As this is a joint application the program will provide funding for both the Muncie Police Department and the Delaware County Sheriff’s Office. Program activities include, but are not limited to: special event patrols, court appearances, shift extensions, mandatory meetings, special trainings, holiday patrols, supervising overtime, briefings, backfilling, callbacks, and investigate overtime. This includes sensational crimes and natural disasters which are virtually impossible to predict.

Police presence for special events is the single largest cause of overtime expenditures. It is of the upmost importance to provide safety to the citizens of Muncie, while they attend these various special events. Included are also numerous smaller parades, festivals and street fairs. Muncie residents, Ball State University students and event goers from surrounding communities can increase events attendance totals into the thousands. Muncie Mardi Gras is an annual event that has increased in record breaking attendance numbers each year. This downtown event requires many officers from both the Muncie Police Department and Delaware County officers to maintain a crowd of this enormity. In many cases an event is held in connection with a given holiday. The annual Fourth of July fireworks display and daylong activities included a well attended Ironman sporting event which together brought in well over 7,000 participators and spectators. Numerous officers were on duty around the clock to handle this influx of event goers. Each year there are approximately twelve such events making it necessary to find funding for officers to provide safety for its citizens and visitors.

Both the Muncie Police Department and the Delaware County Sheriff’s Office contribute their time and efforts as needed to assist nearby Ball State University. Their major sporting events will draw numerous spectators from all over the state. Each football game averages over 20,000 in attendance. It is essential to provide officers to assist university police with crowd and traffic control.

Overtime expenditures are unavoidable due to the nature of police work. Arrest overtime is typically paid to officers who are often required to stay beyond their schedules shifts to complete arrests or to file arrest and/or incident reports. Often officers are called in to testify in court proceedings on what would otherwise be his or her day off. Shift extensions are inevitable; police officers generally work 8-hour shifts, and time consuming problems can occur at any time. Investigative overtime primarily is incurred by investigators who work beyond their scheduled hours in order to complete investigative duties. Holiday patrols are needed for the higher call volume of accidents and to provide a safe environment for shoppers. Supervising overtime is the result of contract regulations, calls for service, vacations, injuries, and approval for special events. In addition, mandatory meetings, trainings, briefings, or other necessary tasks during off duty hours can involve overtime hours.

The need for the program is immense as overtime is an unavoidable cost of policing. As it is not possible to anticipate the amount of hours needed, overtime routinely exceeds the amount
originally budgeted. Regardless of the number of police officers employed, overtime charges cannot be eradicated. As with other municipalities, the continued economic struggle within our city budget just makes it necessary to slash funding in efforts to balance city-wide budgetary needs. Simply put funds to compensate these expenses are nonexistent. It is very important to try to maintain the same level of service to our citizens. Muncie Indiana is in the 91% percentile rank in the state for Violent Crime; said in another way only 9% of all cities in Indiana have crime rates higher than Muncie. Without funding, police protection will be strained; ultimately resulting in an increase in crime statistics. The absence of police presence can affect citizen’s moral and may quickly invite offenders to increase in criminal activity. Cutting necessary programs such as continued training sessions can put officers at a disadvantage creating potential dangers during routine police work. Investigative work could be simply inadequate due to time crunches and understaffed personnel. To continue to provide the best protection and service to our community it is necessary to search for funding opportunities. We understand the importance of JAG funding and with this grant opportunity we anticipate much success with the 2012 Enhanced Patrols Program.

Continued coordinated efforts of JAG funds and other related justice funds are anticipated as we were awarded a 2009 COPS Hiring Recovery Program Grant which is based on community policing. We believe justice funds will coordinate with JAG funding as our officers will be involved in numerous special events engaging with citizens. The 2012 Enhanced Patrols Program will allow our officers to be present in the public, working special events such as holiday festivals, parades, and special city events interacting with the public therefore heightening our community policing efforts.

As we are a disparate jurisdiction, the funding distribution of the 35,471.00 JAG grant allocation, is as follows: $19,509.00 will be designated to the Muncie Police Department, and $15,962.00 to the Delaware County Sheriff’s Office. JAG funds will be utilized to sustain the 2012 Enhance Patrols Program.
# Budget

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>A. Personnel</td>
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<tr>
<td>Muncie Police Dept</td>
<td>19,509.00</td>
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<tr>
<td>Delaware Co Sheriff's Office</td>
<td>15,962.00</td>
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<td>Sub-total</td>
<td>35,471.00</td>
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<td>B. Fringe Benefits</td>
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<td>C. Travel</td>
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<td>D. Equipment</td>
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<td>E. Supplies</td>
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<tr>
<td>F. Construction</td>
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<td>G. Consultants/Contracts</td>
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<td>H. Other Costs</td>
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<td>Total Direct Costs</td>
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<tr>
<td>I. Indirect Costs</td>
<td>0.00</td>
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<tr>
<td>Total Project Costs</td>
<td>35,471.00</td>
</tr>
</tbody>
</table>
BUDGET NARRATIVE

Personnel

- Overtime Expenses

The objective of the 2012 Enhanced Patrols Program is to provide overtime funding for labor incurred during daily routine police work, special events, and other mandatory events such as: shift extensions, court appearances, trainings, emergency mobilizations, mandatory meetings, supervise overtime, callbacks, holiday patrols, and investigative and arrest overtime. Due to cutbacks in our city resources these large expenditures are not available in our existing budgetary allocations. With JAG funding the Muncie Police Department and the Delaware County Sheriff's office will be able to provide officers with due compensation as they continue to meet the needs of our community.

Total of $35,471.00

Joint allocation of award will be as follows:

- Muncie Police Department: 19,509.00
- Delaware County Sherriff's Department: 15,962.00

Total Project Costs: $35,471.00
PRESS RELEASE

Police Chief’s Office
Muncie Police Department
300 North High Street
Muncie, IN 47305

FOR IMMEDIATE RELEASE

Police Grant Notification

Muncie, Indiana, May 7, 2012

A grant, awarded by the Edward Byrne Memorial Justice Assistance (JAG) Grant for $35,471.00 is proposed to be used for Police Overtime in high-crime areas. Any questions or comments can be sent to:

Muncie Police Department
Chief Steve Stewart
300 N High St
Muncie, IN 47305
Office (765) 747-4822 Fax: (765) 741-1342
INTERLOCAL AGREEMENT
BETWEEN THE CITY OF MUNCIE INDIANA
AND COUNTY OF DELAWARE INDIANA

2012 Edward Byrne Memorial Justice Assistance Grant (JAG) PROGRAM AWARD

This Agreement is made and entered into this 1 day of May, 2012, by and between The COUNTY of Delaware, acting by and through its governing body, the Commissioners Court, hereinafter referred to as COUNTY, and the CITY of Muncie, acting by and through its governing body, the City council, hereinafter referred to as CITY, both of Delaware County, State of Indiana, witnesseth:

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party: and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions and this agreement: and

WHEREAS, the CITY agrees to provide the COUNTY $15,962.00 from the JAG award for the Enhanced Patrols Program

WHEREAS, the CITY agrees to provide the COUNTY believe it to be in their best interests to reallocate the JAG funds.

NOW THEREFORE, THE COUNTY AND CITY AGREE AS FOLLOWS:

Section 1

CITY agrees to pay COUNTY a total of $15,962.00 of JAG funds.

Section 2

COUNTY agrees to use $15,962.00 for the 2012 Enhanced Patrols Program
Section 3

Each part to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 4

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 5

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

Section 6

The representative as the legal fiscal agent as follows:
Chief of Police, Steve Stewart

CITY OF Muncie, Indiana   COUNTY OF Delaware, Indiana

Steve Stewart  
Chief of Police

Michael Scroggins  
Delaware Co. Sheriff
STANDARD ASSURANCES

The Applicant hereby assures and certifies compliance with all applicable Federal statutes, regulations, policies, guidelines, and requirements, including OMB Circulars A-21, A-87, A-102, A-110, A-122, A-133; Ex. Order 12372 (intergovernmental review of federal programs); and 28 C.F.R. pts. 66 or 70 (administrative requirements for grants and cooperative agreements). The applicant also specifically assures and certifies that:

1. It has the legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.

2. It will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

3. It will give the awarding agency or the General Accounting Office, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.

4. It will comply with all lawful requirements imposed by the awarding agency, specifically including any applicable regulations, such as 28 C.F.R. pts. 18, 22, 23, 30, 35, 38, 42, 61, and 63, and the award term in 2 C.F.R. § 175.15(b).


7. If a governmental entity—

   a) it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and

   b) it will comply with requirements of 5 U.S.C. §§ 1501-08 and §§7324-28, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

Signature Date

Date